

1084336



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PATENT

Attorney Docket No.: A-67991-3/RMS/DCF/KJC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHEE et al.

Serial No. 10/021,906

Filed: December 12, 2001

For: DETECTION OF NUCLEIC ACID
AMPLIFICATION REACTIONS
USING BEAD ARRAYS

) Examiner: Not Yet Assigned

) Group Art Unit: 1656

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on July 8, 2002

Signed: Victoria T. Linne

VICTORIA T. LINNE

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed January 9, 2002, enclosed are the following documents:

- a) Copy of the Notice to File Missing Parts of Nonprovisional Application;
- b) Preliminary Amendment;
- c) Petition for four (4) month Extension of Time with requisite fee of \$720.00;

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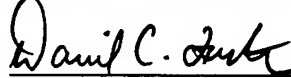
Serial No.: 10/021,906
Filed: December 12, 2001

- c) Check in the amount of \$ 435.00 (\$ 370 and \$ 65 surcharge);
- d) A copy of the Declaration and Post Card and Certificate of Mailing showing that an executed Declaration was submitted at the original date of filing on December 12, 2001); and
- e) Return postcard.

Although Applicant does not believe any additional fees are required, the Assistant Commissioner is authorized to charge any such fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File A-67991-3/RMS/DCF/KJC).

Respectfully submitted,

DORSEY & WHITNEY LLP



David C. Foster, Reg. No. 44,685
for

Robin M. Silva, Reg. No. 38,304
filed under 37 C.F.R. Section 1.34(a)

Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989

E-890441252US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-67991-3/RMS/DCF

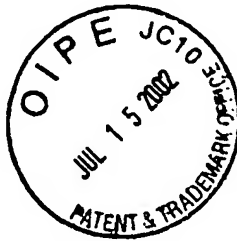
Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner: T. Strzelecka

Art Unit: 1656



"EXPRESS MAIL" MAILING LABEL

NUMBER EL890441252US

DATE OF DEPOSIT _____

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE U
CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRE
TO: BOX PATENT APPLICATION NO FEE, COMMISSIONER
PATENTS, WASHINGTON, DC 20231.

TYPED NAME DARRYL KRINER

SIGNED _____

Box PATENT APPLICATION NO FEE

Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

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application under 37 C.F.R. 1.53(b), in the name of Mark S. Chee and Kevin Gunderson, for Detection of Nucleic Acid Amplification Reactions Using Bead Arrays. This X continuation divisional continuation-in-part claims priority to pending application Serial No. 09/517,945, filed on March 3, 2000.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☒ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
3. Applicant claims small entity status. See 37 C.F.R.
4. ☐ The filing fee is calculated below: Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$370.00			\$740.00
Total Claims	<u> </u> - 20 =	<u> </u>	<u> </u> x 9 =	\$ <u> </u>	OR	<u> </u> x \$18 =	\$ <u> </u>
Indep Claims	<u> </u> - 3 =	<u> </u>	<u> </u> x 42 =	\$ <u> </u>	OR	<u> </u> x \$84 =	\$ <u> </u>
[] Multiple Depen Claims			+ \$140 =	\$ <u> </u>	OR	+ \$280 =	\$ <u> </u>
Total				\$ <u> </u>			\$ <u> </u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. X This application is being filed without paying the filing fee.
6. Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
7. Amend the specification by inserting before the first line the sentence:
8. (a) X Informal drawings are enclosed, 9 sheets.
(b) X Formal drawings are enclosed, 9 sheets.
9. (a) Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.
(b) The certified copy has been filed in prior application Serial No. filed on .
10. An Assignment is enclosed.
11. X The prior application is assigned of record to Illumina, Inc. .
12. X The power of attorney in the prior application is to:


FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

13. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☐ A Prior Art Statement is enclosed.
15. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/517,945 as originally filed on March 3, 2000.

Date: December 15, 2001



David C. Foster, Reg. No. 44,685
Patent Agent for
Robin M. Silva, Reg. No. 38,304

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)

1070266



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,906	12/12/2001	Mark S. Chee	A-67991-3/RMS/DCF

CONFIRMATION NO. 3279

FORMALITIES LETTER



OC000000007286167

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Suite 3400

Four Embarcadero Center

San Francisco, CA 94111-4187

File A-67991-3Atty RMS/DCFDue Date 3/9/2002

Date Mailed: 01/09/2002

Type Missing PartsRefs -

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$54.
 - \$54 for 6 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 489.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/17/2002 HMAR/11 00000077 10021906

01 FC:201
02 FC:205370.00 OP
65.00 OPCOPY OF PAPERS
ORIGINALLY FILED

PATENT OFFICE ACKNOWLEDGMENT
OF FILING PATENT APPLICATION

File No. A-67991-3/RMS/DCF ✓
Applicant: Mark S. Chee and Kevin Gunderson ✓
Title: Detection of Nucleic Acid Amplification Reactions
Using Bead Arrays ✓

No. Pages Spec.: 70 ✓
No. Pages Claims: 5 ✓
No. Pages Abstract: 1 ✓
No. Claims: 26 ✓
No. Sheets Dwg.: 9 ✓
Declaration: X ✓

Mailed 12/13/01 ✓

Express Mail No. EL890441252US ✓

DCS

DCF:jlv